

Appl. No. 09/177,960  
Amendment After  
Decision on Appeal of 29 October 2003

Page 8 of 9

### REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application. Claims 11-20 are newly added.

The Board of Patent Appeals and Interferences has affirmed the rejection of claims 1-10 under 35 U.S.C. 103(a) over Steele et al. (USP 5,742,779, hereinafter Steele) and IBM Technical Disclosure Bulletin "Dynamic Icon Presentation", Vol. 35, No. 48 (September 1992), pp. 227-232 (hereinafter IBM TDB).

As amended, claims 1 and 5, upon which claims 2-4 and 6-17 depend, specifically recite an apparatus and method for selecting icons wherein a first set of icons are displayed in a timed loop in a first field of a display, and a second set of icons are displayed in a timed loop in a second field of a display. The second field is distinct from the first field, and a selected icon from the first set of icons is displayed in the first field while the second set of icons is being displayed in the second field.

Newly added independent claim 17, upon which claims 18-20 depend, specifically recites sequentially displaying each icon of a first set of icons in a first field of a display, and sequentially displaying each icon of the second set of icons corresponding to the currently displayed icon in the first field in a second field of the display, such that the first icon is persistently displayed in the first field while the second set of icons are sequentially displayed in the second field.

The Applicants acknowledge that the IBM TDB teaches presenting icons in a timed loop at page 1, lines 12-20 of the Applicants specification. The IBM TDB is silent with regard to a hierarchical presentation/selection of icons.

Steele presents a hierarchical icon presentation/selection process and method wherein an "elevator" representation is used to display prior icon selections leading to the currently displayed set of icons. A central panel/field is used to display the currently selectable icons; when an icon is selected, it is moved to the elevator panel, and the newly selectable icons appear in the central field. (Steele, FIGs. 7A-7D; column 13, lines 4-67.)

Steele does not teach or suggest presenting each selectable set of icons in distinct fields in the display, as specifically claimed by the Applicants. Steele teaches a first field

Appl. No. 09/177,960  
Amendment After  
Decision on Appeal of 29 October 2003

Page 9 of 9

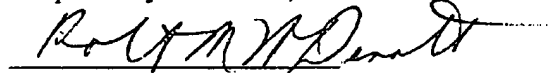
wherein all previously selected icons are represented, and a second field wherein each of the currently selectable icons are presented for selection. Of particular significance, the selected icons are not displayed in the same field within which they were selected, thereby requiring a 'context-shift' as each subsequent hierarchy of icons is presented for selection.

Steele teaches a hierarchical selection system wherein the 'selection' field of the display remains substantially constant as each level of the hierarchy is processed, and the hierarchical context of the current selection is presented in another 'elevator' field. The Applicants claim a hierarchical selection system wherein fields for displaying each level of the hierarchy are distinct, and wherein the selection field progresses through different fields of the display area. In the Applicants claimed invention, when an icon is selected, it remains displayed in the field from which it was selected, and the next set of icons is displayed in another area. In Steele's system, when an icon is selected, it disappears from the field from which it was selected, and another, smaller version of the icon, or an alternative representation of the icon, appears in a different field.

Because neither Steele nor the IBM TDB, individually or collectively, teach or suggest a hierarchical icon display system or method wherein icons from each level of the hierarchy are presented in distinct field, so that selected icons remain displayed in the fields from which they were selected, as taught and claimed by the Applicants, the Applicants respectfully request the Examiner's reconsideration of the rejection of claims 1-10 under 35 U.S.C. 103(a) over Steele and the IBM TDB, and favorable consideration of newly added claims 11-20.

In view of the foregoing, the Applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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